

_____Published in the Derby Reporter, **April 9, 2004**

ORDINANCE NO. 46-012

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF LAND IN THE CITY OF WICHITA, KANSAS, FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF **CONSTRUCTING WATER DISTRIBUTION SYSTEM NO. 448-89673, TO SERVE MID-CONTINENT INDUSTRIAL PARK I & II, South of K-42 Highway, East of Maize Road (470-729)**

WHEREAS, pursuant to the proceedings regularly had according to law, contracts have been let for the following improvement in the City of Wichita, Kansas: constructing **Water Distribution System No. 448-89673, TO SERVE MID-CONTINENT INDUSTRIAL PARK I & II**, and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$259,728.00** and that **\$187,004.16** be assessed against the improvement district and **\$0.00** be paid by the Water Utility Fund, and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Special assessments to pay the cost of said improvement as authorized by **Resolution No. R-02-147, adopted March 19, 2002, and published March 23, 2002**, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessment for said improvement as follows:

1DATE: 03/09/04

PETITIONED: YES

LEGAL OF PARCEL IN BENEFIT DISTRICT	ASSESSMENT
PAGE 1	
LOT 1	5,423.88
BLOCK A	
MID-CONTINENT INDUSTRIAL PARK I	
LOT 2	5,423.88
BLOCK A	
MID-CONTINENT INDUSTRIAL PARK I	

LOT 3 BLOCK A MID-CONTINENT INDUSTRIAL PARK I	5,423.88
LOT 4 BLOCK A MID-CONTINENT INDUSTRIAL PARK I	5,423.88
LOT 5 BLOCK A MID-CONTINENT INDUSTRIAL PARK I	5,420.84
LOT 6 BLOCK A MID-CONTINENT INDUSTRIAL PARK I	5,166.82
LOT 1 EXC BEG NW COR SE ALG NLY LI 315.6 FT WLY 299.94 FT TO W LI N 98.17 FT TO BEG BLOCK B MID-CONTINENT INDUSTRIAL PARK I	8,390.62
THAT PART LOT 1 BEG NW COR SE ALG NLY LI 315.6 FT WLY 299.94 FT TO W LI N 98.17 FT TO BEG BLOCK B MID-CONTINENT INDUSTRIAL PARK I	601.23
LOT 1 BLOCK C MID-CONTINENT INDUSTRIAL PARK I	4,328.46
LOT 2 EXC W1/2 THEREOF BLOCK C MID-CONTINENT INDUSTRIAL PARK I	1,595.52
1	
PAGE 2	
W1/2 LOT 2 BLOCK C MID-CONTINENT INDUSTRIAL PARK I	1,402.89
LOT 3 BLOCK C MID-CONTINENT INDUSTRIAL PARK I	3,768.86

LOT 4 EXC W 200 FT THEREOF BLOCK C MID-CONTINENT INDUSTRIAL PARK I	925.68
LOT 5 BLOCK C MID-CONTINENT INDUSTRIAL PARK I	5,309.81
LOT 1 BLOCK D MID-CONTINENT INDUSTRIAL PARK I	8,221.94
LOT 2 BLOCK D MID-CONTINENT INDUSTRIAL PARK I	8,231.72
LOT 1 EXC BEG NE COR SELY 603.84 FT TO SE COR SWLY ON N LI MIDCO ST 315.78 FT NWLY PAR. TO E LI TO N LI LOT 1 NELY 315.78 FT TO BEG & EXC BEG NW COR LOT 1 NE ALG NLY LI 198.06 FT SELY 686.83 FT TO PT ON SELY LI LOT 1 SWLY & SLY ALG SELY LI 212.57 FT TO SLY COR NW 655.4 FT TO SW COR N 279.33 FT TO BEG BLOCK A MID-CONTINENT INDUSTRIAL PARK II	9,024.47
BEG NE COR LOT 1 SELY 603.84 FT TO SE COR SWLY ON N LI MIDCO ST 315.78 FT NWLY PARALLEL TO E LI TO N LI. LOT 1 NELY 315.78 FT TO BEG BLOCK A MID-CONTINENT INDUSTRIAL PARK II	7,835.45
BEG SLY COR LOT 1 NW 339.8 FT ELY 367.79 FT TO SELY LI TH SWLY ALG CUR 114.96 FT TO BEG BLOCK A MID-CONTINENT INDUSTRIAL PARK II	790.90

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PAGE 3

BEG NW COR LOT 1 NE ALG NLY LI 198.06 FT SELY 686.83 FT TO PT ON SELY LI LOT 1 SWLY & SLY ALG SELY LI 212.57 FT TO SLY COR NW 655.4 FT TO SW COR N 279.33 FT TO BEG EXC BEG SLY COR NW 339.8 FT ELY 367.79 FT TO SELY LI LOT 1 SWLY ALG CUR	8,730.35
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114.96 FT TO BEG BLOCK A MID-CONTINENT INDUSTRIAL PARK II	
LOT 2 BLOCK A MID-CONTINENT INDUSTRIAL PARK II	18,836.44
LOT 3 EXC PT TAKEN IN COND. CASE NO 95 C-186 & EXC PT TAKEN FOR ROW & EXC PART LY W & S OF ROW BLOCK A MID-CONTINENT INDUSTRIAL PARK II	15,349.05
S 484.75 FT LOT 4 BLOCK A MID-CONTINENT INDUSTRIAL PARK II	9,950.97
LOT 4 EXC S 484.75 FT & EXC THAT PT TAKEN FOR ROW BLOCK A MID-CONTINENT INDUSTRIAL PARK II	9,862.96
LOT 1 EXC BEG NW COR TH SELY 248.06 FT TO SW COR NE 126.62 FT NWLY 297.89 FT TO N LI SW 20.83 FT TO CUR TH ALG CUR 178.73 FT TO BEG BLOCK B MID-CONTINENT INDUSTRIAL PARK II	18,648.98
1 PAGE 4 THAT PART LOT 1 BEG NW COR TH SELY 248.06 FT TO SW COR NE 126.62 FT NWLY 297.89 FT TO N LI SW 20.83 FT TO CUR TH ALG CUR 178.73 FT TO BEG BLOCK B MID-CONTINENT INDUSTRIAL PARK II	1,789.76
W 200 FT LOT 4 BLOCK C	3,609.84

MID-CONTINENT INDUSTRIAL PARK I	
THAT PART LOT 3 LY W & S ROW ESMT BLOCK A MID-CONTINENT INDUSTRIAL PARK II	7,515.08
0	
0	
PROJECT 448 89673	187,004.16 SQUARE FT

SECTION 2. The amounts so levied and assessed as set forth in the foregoing Section 1 shall be due and payable from and after the date hereof at the Debt Management Section of the Finance Department. The owners of the properties will be given a period until 5:00 o'clock p.m. on **May 10, 2004**, during which the special assessments may be paid and the lien against the property for which the special assessment is paid shall thereupon be discharged and satisfied.

SECTION 3. That payment of said assessments may indefinitely be deferred against those property owners eligible for such deferral as provided in City of Wichita Ordinance No. 43-977.

SECTION 4. For any portion of the assessments which are not paid by the above specified date and time, general obligation bonds of the City, payable in installments over a period of not to exceed fifteen (15) years, will be issued as provided by K.S.A. 12-6a14 (c), and the principal amount of the unpaid assessments, together with interest on the unpaid principal balance thereof at a rate to be determined by the Governing Body (such rate not to exceed the maximum rate allowed by K.S.A. 10-1009, as amended) will be certified to the County Clerk of Sedgwick County, Kansas, for the aforesaid number of years, and will be levied against the property liable therefor in the same form and manner as, and will be collected at such time as is customary for, the levying and collecting of ad valorem property taxes, and the taxes so collected will be used for the purpose of paying the principal of and the interest on such general obligation bonds as they mature and become due. The first such levy shall be made for the year **2004**.

SECTION 5. This ordinance shall take effect and be in force as of and on **April 9, 2004** after its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas on **April 6, 2004**.

Carlos Mayans, Mayor

ATTEST:

Karen Schofield, City Clerk
(seal)

APPROVED AS TO FORM: